

**EIGHTY-FOURTH GENERAL ASSEMBLY
2012 REGULAR SESSION
DAILY
HOUSE CLIP SHEET**

MARCH 9, 2012

HOUSE FILE 2380

H-8140

1 Amend House File 2380 as follows:

2 1. Page 5, line 13, after <standards.> by inserting
3 <Rules adopted pursuant to this subsection shall be
4 designed to preserve, to the extent possible, autonomy
5 and flexibility for local educational agencies to adopt
6 local policies and processes for the evaluation system
7 consistent with this subsection and section 256.9,
8 subsection 64.>

9 2. Page 5, line 19, by striking <subsection> and
10 inserting <subsections>

11 3. Page 5, lines 23 and 24, by striking <to
12 standardize the instruments and processes used>

13 4. Page 5, line 32, after <system.> by inserting
14 <The department shall monitor alternative teacher
15 evaluation systems approved pursuant to this
16 subsection and section 284.4, subsection 1, paragraph
17 "e", subparagraph (2), to ensure that evaluation
18 outcomes are consistent in the aggregate with student
19 achievement results at the school districts and
20 school levels and that approved alternative teacher
21 evaluation systems continue to meet the local and
22 state educational goals and the requirements specified
23 for the statewide alternative administrator system
24 developed pursuant to this subsection.>

25 5. By striking page 5, line 35, through page 6,
26 line 6, and inserting:

27 <(1) For teachers who teach core curriculum
28 coursework, student achievement growth data from
29 assessments administered under the value-added
30 assessment system established pursuant to section
31 256.24 which shall comprise at least fifty percent of a
32 teacher's evaluation, using data from the value-added
33 assessment system established pursuant to section
34 256.24.

35 (2) For teachers who do not directly instruct
36 students in subjects and grades outside of the core
37 curriculum, the following indicators or assessments as
38 approved by the director who shall do either of the
39 following:

40 (a) Develop and implement a plan to incorporate
41 student achievement growth indicators, resulting
42 from assessments approved by the department, which
43 shall comprise at least fifty percent of a teacher's
44 evaluation using data from the value-added assessment
45 system established pursuant to section 256.24.

46 (b) Develop and distribute, or support the area
47 education agencies in the development and distribution,
48 of common assessments aligned with the core content
49 standards established pursuant to section 256.7,
50 subsection 28. The director or the area education

1 agencies as appropriate shall collaborate with school
2 districts and education stakeholders to develop common
3 assessments for subjects and grades outside of the core
4 curriculum. Student achievement growth indicators
5 resulting from the assessments shall comprise at least
6 fifty percent of a teacher's evaluation using data from
7 the value-added assessment system established pursuant
8 to section 256.24.

9 (3) Measurement of student achievement growth
10 indicators which shall be in accordance with the growth
11 model developed pursuant to section 256.24.

12 (4) Additional measures for teachers which shall
13 be correlated with impacts on student achievement
14 results. Measures shall include student surveys and
15 multiple classroom observations during the school year
16 by trained master teachers, administrators, or an
17 evaluator as defined in section 284.2, who shall use
18 clear, consistent observation rubrics provided to the
19 teacher in advance of the school year, and may include
20 other measures aligned with student achievement.

21 (5) Processes and requirements to determine the
22 teacher of record for purposes of assigning student
23 achievement scores in order to evaluate a teacher's
24 performance, which shall be aligned with regulations
25 adopted pursuant to the federal No Child Left Behind
26 Act of 2001, Pub. L. No. 107-110 relating to highly
27 qualified teacher reporting requirements.

28 (6) Processes to verify instructional staffing
29 assignments and the students assigned to each member
30 of the instructional staff for purposes of evaluating
31 teacher performance.

32 (7) Standards for rating levels assigned to
33 teachers in accordance with paragraph "e".

34 (8) Processes and requirements for value-added
35 methods to be used in measuring student achievement
36 growth for purposes of teacher evaluation using the
37 value-added system established pursuant to section
38 256.24.

39 (9) Minimum training requirements for the evaluator
40 training programs offered in accordance with section
41 284.10.

42 c. The components of the statewide administrator
43 evaluation system shall include but not be limited to
44 the following:

45 (1) Attendance center or district-wide student
46 achievement growth, as appropriate, which shall
47 comprise fifty percent of the evaluation.

48 (2) Multiple measures for the remaining fifty
49 percent of the evaluation that include but are not
50 limited to any of the following:

1 (a) Multiple observations by the school district
2 superintendent or an evaluator as defined in section
3 284.2.

4 (b) Improvement in the percentage of instructional
5 personnel that advance to a level determined by the
6 department to be effective or highly effective.

7 (c) Retention of effective and highly effective
8 teachers from year-to-year.

9 (d) Parent survey results.

10 (e) Other factors as determined by the director.

11 d. Teachers and administrators shall be notified in
12 writing in advance of the school year of the measures
13 and any specific indicators that will be used to
14 evaluate practitioners under the systems developed
15 pursuant to this subsection.

16 e. Each teacher and administrator shall be assigned
17 a rating of highly effective, effective, minimally
18 effective, or ineffective, as defined by the state
19 board or area education agency. Whether or not a
20 practitioner is determined to be effective shall be
21 based in significant part on the percentage of students
22 under the authority of the practitioner who achieved
23 at least one grade level of growth during the school
24 year, or otherwise achieved appropriate growth based
25 on expectations derived from at least two years of
26 individual student achievement data.

27 NEW SUBSECTION. 65. Develop, implement, and post
28 on the department's internet site a statewide student
29 growth model aligned with the value-added assessment
30 system established pursuant to section 256.24 for
31 determining student growth on assessments for purposes
32 of teacher and administrator evaluation in order to
33 standardize student academic growth measures and ensure
34 that a teacher's performance is measured substantially
35 according to the value the teacher adds to student
36 learning growth.

37 NEW SUBSECTION. 66. Provide technical assistance
38 to school districts in the development and
39 implementation of an alternative teacher evaluation
40 system under section 284.4, subsection 1, paragraph
41 "e", subparagraph (2), including providing or assisting
42 school districts in the development of evaluator
43 training programs offered pursuant to section 284.10,
44 and a resource bank that identifies assessments,
45 processes, tools, and policies that a school district
46 may use to develop an alternative evaluation system.
47 The resource bank shall include resources that are
48 appropriate to school districts of different sizes,
49 demographics, and locations and shall be updated
50 periodically to reflect new research and current best

1 practices.

2 Sec. _____. Section 279.13, Code 2011, is amended by
3 adding the following new subsection:

4 NEW SUBSECTION. 6. Notwithstanding the other
5 provisions of this section and any contrary provision
6 of the Code, if the board of directors of a school
7 district or charter school institutes, by majority vote
8 of the membership of the board, a reduction in force,
9 a decision by the board to lay off a teacher or to
10 not renew a teacher contract shall be based upon the
11 teacher's effectiveness as demonstrated in evaluations
12 conducted pursuant to sections 284.4 and 284.8. A
13 teacher assigned a rating of ineffective or minimally
14 effective shall be laid off before a teacher who is
15 assigned a rating of effective or highly effective,
16 and a teacher assigned a rating of effective shall be
17 laid off before a teacher who is assigned a rating of
18 highly effective. A teacher who is assigned a rating
19 of effective shall be placed on paid leave for one
20 year. A school district shall fill positions that
21 open up based upon whether the teacher is qualified
22 under chapter 272 to fill the position and if more
23 than one teacher on paid leave is qualified for the
24 position, priority, with the consent of the principal
25 of the attendance center, shall be given to the teacher
26 assigned the highest rating under the evaluation system
27 adopted pursuant to section 284.4.

28 Sec. _____. Section 279.19, Code 2011, is amended to
29 read as follows:

30 279.19 Probationary period.

31 1. The For a teacher first employed by a school
32 district on or after July 1, 2012, the first three
33 five consecutive years of employment of a teacher in
34 the same school district are a probationary period.
35 However, if the teacher has successfully completed a
36 probationary period of employment for another school
37 district located in Iowa, the probationary period in
38 the current district of employment shall not exceed one
39 year. A board of directors may waive the probationary
40 period for any teacher who previously has served a
41 probationary period in another school district and
42 the board may extend the probationary period for an
43 additional year with the consent of the teacher.

44 2. In the case of the termination of a probationary
45 teacher's contract, ~~the provisions of sections 279.15~~
46 ~~and 279.16 shall apply.~~ However, if the probationary
47 ~~teacher is a beginning teacher who fails to demonstrate~~
48 ~~competence in the Iowa teaching standards in accordance~~
49 ~~with chapter 284, the provisions of sections 279.17 and~~
50 ~~279.18 shall also apply.~~

1 The board's decision shall be final and binding
2 unless the termination was based upon an alleged
3 violation of a constitutionally guaranteed right of
4 the teacher or an alleged violation of public employee
5 rights of the teacher under section 20.10.

6 Notwithstanding any provision to the contrary, the
7 grievance procedures of section 20.18 relating to
8 job performance or job retention shall not apply to a
9 teacher during the first two years of the teacher's
10 probationary period. However, this paragraph shall not
11 apply to a teacher who has successfully completed a
12 probationary period in a school district in Iowa.

13 Sec. _____. Section 284.3, subsection 2, Code 2011,
14 is amended to read as follows:

15 2. A school board shall provide, for the following:

16 a. ~~For purposes of comprehensive evaluations for~~
17 ~~beginning teachers required to allow beginning teachers~~
18 ~~to progress to career teachers, standards and criteria~~
19 ~~that are the Iowa teaching standards specified in~~
20 ~~subsection 1 and the criteria for the Iowa teaching~~
21 ~~standards developed by the department in accordance~~
22 ~~with section 256.9, subsection 46. These standards and~~
23 ~~criteria shall be set forth in an instrument provided~~
24 ~~by the department. The comprehensive evaluation and~~
25 ~~instrument are not subject to negotiations or grievance~~
26 ~~procedures pursuant to chapter 20 or determinations~~
27 ~~made by the board of directors under section 279.14.~~
28 ~~A local school board and its certified bargaining~~
29 ~~representative may negotiate, pursuant to chapter 20,~~
30 ~~evaluation and grievance procedures for beginning~~
31 ~~teachers that are not in conflict with this chapter.~~
32 ~~If, in accordance with section 279.19, a beginning~~
33 ~~teacher appeals the determination of a school board to~~
34 ~~an adjudicator under section 279.17, the adjudicator~~
35 ~~selected shall have successfully completed training~~
36 ~~related to the Iowa teacher standards, the criteria~~
37 ~~adopted by the state board of education in accordance~~
38 ~~with subsection 3, and any additional training required~~
39 ~~under rules adopted by the public employment relations~~
40 ~~board in cooperation with the state board of education.~~

41 b. ~~For purposes of performance reviews for teachers~~
42 ~~other than beginning teachers, evaluations that~~
43 ~~contain, at a minimum, the Iowa teaching standards~~
44 ~~specified in subsection 1, as well as the criteria~~
45 ~~for the Iowa teaching standards developed by the~~
46 ~~department in accordance with section 256.9, subsection~~
47 ~~46. A local school board and its certified bargaining~~
48 ~~representative may negotiate, pursuant to chapter~~
49 ~~20, additional teaching standards and criteria. A~~
50 ~~local school board and its certified bargaining~~

~~1 representative shall negotiate, pursuant to chapter 20,
2 evaluation and grievance procedures for teachers other
3 than beginning teachers that are not in conflict with
4 this chapter.>~~

5 6. Page 6, line 13, by striking <review> and
6 inserting <review evaluation>

7 7. Page 6, line 17, after <administrators> by
8 inserting <and any other practitioner who evaluates
9 teachers pursuant to this chapter>

10 8. Page 6, by striking line 19 and inserting:
11 < (2) (a) Develop and implement with the assistance
12 of the department, for the fiscal year beginning July
13 1, 2013, an alternative teacher evaluation system pilot
14 program that meets local and state educational goals
15 and is aligned with the requirements specified for the
16 statewide teacher evaluation system developed pursuant
17 to section 256.9, subsection 64. This subparagraph
18 division is repealed July 1, 2015.

19 (b) Adopt, by July 1, 2014, the statewide teacher
20 evaluation>

21 9. Page 6, line 23, after <goals> by inserting
22 <and is aligned with requirements specified for
23 the statewide teacher evaluation system developed
24 pursuant to section 256.9, subsection 64. The
25 alternative system shall be designed to ensure that
26 every student is taught by an effective teacher, regard
27 teachers' impact on students, foster improvements in
28 teaching, and give all teachers a meaningful chance to
29 succeed. A school district shall involve teachers and
30 administrators in designing and implementation planning
31 for the alternative teacher evaluation system, but
32 the alternative teacher evaluation system design and
33 implementation plans are not subject to the scope of
34 negotiations specified in section 20.9.>

35 10. By striking page 6, line 27, through page 7,
36 line 24, and inserting:

37 <Sec. _____. Section 284.8, Code 2011, is amended by
38 striking the section and inserting in lieu thereof the
39 following:

40 284.8 Teacher performance evaluation requirements --
41 purposes.

42 1. A school district shall evaluate a teacher's
43 performance at least once annually based upon using the
44 statewide teacher evaluation system adopted pursuant
45 to section 256.9, subsection 64, or the alternative
46 teacher evaluation system approved under section 284.4,
47 subsection 1, and the system adopted shall be used as
48 follows:

49 a. As the basis for all instructional staffing and
50 personnel decisions made on or after July 1, 2015,

1 including when a school district makes a reduction in
2 force under section 279.13 and when making decisions
3 regarding teacher career advancement under section
4 284.7.

5 b. For purposes of entering into or terminating
6 teacher contracts and for purposes of negotiating
7 collective bargaining agreements on or after July 1,
8 2015.

9 c. To provide high-quality, job-embedded, and
10 ongoing mentoring, supports, and professional
11 development for teachers, aligned to the teacher's
12 needs as identified in the teacher's evaluation and
13 individual teacher professional development plan.

14 2. A teacher who is assigned a rating of minimally
15 effective or ineffective under the teacher evaluation
16 system adopted pursuant to section 284.4 may be
17 required to participate in an intensive assistance
18 program upon recommendation to the school district
19 by the teacher's supervisor. Notwithstanding the
20 provisions of chapter 20 and section 279.27, if the
21 teacher has participated in an intensive assistance
22 program as required under this subsection and is
23 assigned a rating of minimally effective or ineffective
24 after each of the three most recent consecutive annual
25 performance evaluations, the teacher's contract
26 may be terminated. The superintendent, or the
27 superintendent's designee, shall notify the teacher
28 immediately that the superintendent will recommend in
29 writing to the board at a regular or special meeting
30 of the board held not more than fifteen days after
31 notification has been given to the teacher that the
32 teacher's continuing contract be terminated effective
33 immediately following a decision of the board. The
34 notification shall be personally delivered to the
35 teacher or mailed by certified mail.

36 Sec. _____. Section 284A.2, subsection 3, Code 2011,
37 is amended to read as follows:

38 3. "Comprehensive evaluation" means a summative
39 evaluation of a beginning administrator conducted by
40 an evaluator in accordance with section 284A.3 for
41 purposes of determining a beginning administrator's
42 level of competency for recommendation for licensure
43 based on the Iowa standards for school administrators
44 adopted pursuant to section 256.7, subsection 27. For
45 school districts, the comprehensive evaluation shall
46 utilize the administrator evaluation system adopted by
47 the school district pursuant to section 284A.7.

48 Sec. _____. Section 284A.5, subsection 5, Code 2011,
49 is amended to read as follows:

50 5. By the end of a beginning administrator's first

1 year of employment, the beginning administrator ~~may~~
2 shall be comprehensively evaluated to determine if
3 the administrator meets expectations to move to a
4 professional administrator license, where appropriate.
5 The school district or area education agency that
6 employs a beginning administrator shall recommend
7 the beginning administrator for a professional
8 administrator license, where appropriate, if the
9 beginning administrator is determined through ~~a~~ the
10 comprehensive evaluation to demonstrate competence
11 in the Iowa standards for school administrators
12 adopted pursuant to section 256.7, subsection 27,
13 and if employed by a school district, is assigned a
14 rating of effective or highly effective. A school
15 district or area education agency may allow a beginning
16 administrator a second year to demonstrate competence
17 in the Iowa standards for school administrators or
18 to move to a rating of effective or highly effective
19 if, after conducting a comprehensive evaluation, the
20 school district or area education agency determines
21 that the administrator is likely to successfully
22 demonstrate competence in the Iowa standards for school
23 administrators by the end of the second year or be
24 assigned a rating of effective or highly effective.
25 Upon notification by the school district or area
26 education agency, the board of educational examiners
27 shall grant a beginning administrator who has been
28 allowed a second year to demonstrate competence a
29 one-year extension of the beginning administrator's
30 initial license. An administrator granted a second
31 year to demonstrate competence shall undergo a
32 comprehensive evaluation at the end of the second
33 year.>

34 11. Page 7, line 28, by striking <A> and inserting
35 <A Utilizing the statewide administrator evaluation
36 system developed pursuant to section 256.9, subsection
37 64, a>

38 12. Page 7, line 30, by striking <chapter 272> and
39 inserting <chapter 272>

40 13. Page 7, line 31, by striking <chapter 256>

41 14. Page 8, line 7, after <plan> by inserting
42 <; the school district or attendance center's
43 student achievement, as appropriate; performance of
44 instructional employees under the authority of the
45 administrator, recruitment and retention of effective
46 and highly effective teachers at the school district
47 or attendance center, as appropriate; improvement in
48 the percentage of instructional personnel evaluated at
49 the highly effective or effective level; feedback from
50 parents; and other leadership practices that result in

1 student achievement growth
2 15. Page 8, line 12, after <goals> by inserting
3 <and is aligned with the requirements specified for the
4 statewide alternative administrator system developed
5 pursuant to section 256.9, subsection 64>

6 16. Page 8, after line 15 by inserting:
7 <3. Notwithstanding section 279.24, if an
8 administrator is assigned a rating of ineffective for
9 two consecutive years or for two out of three of the
10 most recent consecutive years under the administrator
11 evaluation system adopted pursuant to subsection 2,
12 the administrator's contract may be terminated. The
13 superintendent, or the superintendent's designee, shall
14 notify the administrator immediately in writing that
15 the superintendent will recommend in writing to the
16 board at a regular or special meeting of the board held
17 not more than fifteen days after notification has been
18 given to the administrator that the administrator's
19 continuing contract be terminated effective immediately
20 following a decision of the board. Notwithstanding
21 section 279.24, if the administrator is the
22 superintendent of the school district, the board shall
23 notify the superintendent immediately of its intention
24 to terminate the superintendent's contract at a regular
25 or special meeting of the board held not more than
26 fifteen days after notification has been given to the
27 superintendent. Notification shall be personally
28 delivered to the administrator or mailed by certified
29 mail.>

30 17. By striking page 8, line 16, through page 9,
31 line 3.

32 18. Page 10, by striking lines 7 through 24.

33 19. Page 27, by striking lines 5 through 22.

34 20. Page 27, before line 23 by inserting:

35 <Sec. _____. Section 284.2, subsection 8, Code 2011,
36 is amended to read as follows:

37 8. "Performance evaluation" means a summative
38 evaluation of a teacher other than a beginning
39 teacher and used to determine whether the teacher's
40 practice meets school district expectations and the
41 Iowa teaching standards, and to determine whether the
42 teacher's practice meets school district expectations
43 for career advancement in accordance with section
44 284.7.>

45 21. Page 28, after line 11 by inserting:

46 <Sec. _____. Section 284.7, subsection 1, paragraph
47 b, subparagraph (1), subparagraph division (b), Code
48 2011, is amended to read as follows:

49 (b) Is reviewed rated effective using the teacher
50 evaluation system adopted by the school district ~~as~~

1 ~~demonstrating the competencies of a career teacher~~
2 pursuant to section 284.4.

3 Sec. _____. Section 284.7, subsection 2, paragraph
4 a, subparagraph (1), Code 2011, is amended to read as
5 follows:

6 (1) A career II teacher is a teacher who meets
7 the requirements of subsection 1, paragraph "b",
8 subparagraph (1), subparagraph divisions (a), (c),
9 and (d); was rated highly effective in the most
10 recent teacher performance evaluation performed in
11 accordance with section 284.4; has met the requirements
12 established by the school district that employs the
13 teacher; and is evaluated by the school district
14 as demonstrating the competencies of a career II
15 teacher. ~~The teacher shall have successfully completed~~
16 ~~a performance review in order to be classified as a~~
17 ~~career II teacher.~~

18 Sec. _____. Section 284.7, subsection 2, paragraph b,
19 subparagraph (1), Code 2011, is amended by adding the
20 following new subparagraph division:

21 NEW SUBPARAGRAPH DIVISION. (e) Was rated highly
22 effective in the most recent teacher performance
23 evaluation performed in accordance with section 284.4.

24 Sec. _____. Section 284.7, subsection 2, paragraph
25 b, subparagraph (2), Code 2011, is amended to read as
26 follows:

27 (2) It is the intent of the general assembly that
28 the participating district shall establish a minimum
29 salary for an advanced teacher that is at least
30 thirteen thousand five hundred dollars greater than the
31 minimum career teacher salary. ~~In conjunction with the~~
32 ~~development of the review panel pursuant to section~~
33 ~~284.9, the department shall make recommendations to~~
34 ~~the general assembly by January 1, 2002, regarding~~
35 ~~the appropriate district to district recognition for~~
36 ~~advanced teachers and methods that facilitate the~~
37 ~~transition of a teacher to the advanced level.~~

38 Sec. _____. Section 284.9, subsection 1, Code 2011,
39 is amended to read as follows:

40 1. A career II teacher seeking to receive an
41 advanced designation shall submit a portfolio of work
42 evidence aligned with the Iowa teaching standards to a
43 review panel established in accordance with subsection
44 2. A majority of the evidence in the portfolio shall
45 be classroom-based. The review panel shall evaluate
46 the career II teacher's portfolio and past evaluations
47 in accordance with section 256.9, subsection 64, to
48 determine whether the teacher demonstrates superior
49 teaching skills, and shall make a recommendation to
50 the board of educational examiners whether or not the

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1 teacher shall receive an advanced designation. The
2 standards for recommendation include, but are not
3 limited to, meeting the Iowa teaching standards at an
4 advanced level.>

5 22. By renumbering as necessary.

By KOESTER of Polk

H-8140 FILED MARCH 8, 2012

HOUSE FILE 2380

H-8141

1 Amend House File 2380 as follows:

2 1. Page 1, after line 2 by inserting:

3 <Sec. _____. Section 256.7, subsection 26, paragraph
4 a, Code Supplement 2011, is amended by adding the
5 following new subparagraph:

6 NEW SUBPARAGRAPH. (02) The rules shall allow a
7 school district or accredited nonpublic school to award
8 high school credit to a student upon the demonstration
9 of required competencies for a course or content area,
10 as approved by an appropriately licensed teacher. The
11 school district or accredited nonpublic school shall
12 determine the assessment methods by which a student
13 demonstrates sufficient evidence of the required
14 competencies.>

15 2. Page 2, line 9, after <5.> by inserting

16 <a. The task force shall submit a preliminary
17 report that includes but is not limited to its
18 findings and recommendations relating to subsection 2,
19 paragraphs "b", "d", and "e", by January 15, 2013.

20 b.>

21 3. Page 2, line 11, by striking <January> and
22 inserting <November>

23 4. Page 2, by striking lines 13 through 23.

24 5. By renumbering as necessary.

By T. OLSON of Linn

SCHULTE of Linn

H-8141 FILED MARCH 8, 2012

HOUSE FILE 2367

H-8142

1 Amend the amendment, H-8137, to House File 2367 as
2 follows:

3 1. Page 1, line 3, by striking <and intentionally>

4 2. Page 1, after line 3 by inserting:

5 <_____. Page 1, line 11, by striking <implied> and
6 inserting <implied, or reasonably should have known
7 that the person was entering the land of an owner,
8 lessee, or occupant without any legal right, express
9 or implied>>

By HAGENOW of Polk

H-8142 FILED MARCH 8, 2012

HOUSE FILE 2367

H-8143

- 1 Amend the amendment, H-8137, to House File 2367 as
2 follows:
3 1. Page 1, by striking line 15 and inserting:
4 <____. Page 1, line 28, by striking <artificial> and
5 inserting <dangerous>
6 2. By renumbering as necessary.

By HAGENOW of Polk

H-8143 FILED MARCH 8, 2012

HOUSE FILE 2369

H-8138

- 1 Amend House File 2369 as follows:
2 1. Page 1, lines 7 and 8, by striking <examiner,
3 or a funeral director, ~~or the county registrar~~> and
4 inserting <examiner, a funeral director, or the ~~county~~
5 state registrar>

By KLEIN of Washington

H-8138 FILED MARCH 8, 2012

HOUSE FILE 2424

H-8144

- 1 Amend House File 2424 as follows:
2 1. Page 5, after line 14 by inserting:
3 <Sec. _____. FUTURE REPEAL. This Act is repealed
4 July 1, 2014. The Code editor shall restore the
5 language in the sections of the Code of Iowa amended
6 by this Act to the language present in those sections
7 in the 2011 Code of Iowa.>
8 2. Title page, line 2, after <court> by inserting
9 <, and including future repeal provisions>

By ANDERSON of Page
WOLFE of Clinton

H-8144 FILED MARCH 8, 2012

HOUSE FILE 2426

H-8145

- 1 Amend House File 2426 as follows:
2 1. By striking page 23, line 30, through page 24,
3 line 5.
4 2. Page 25, by striking lines 7 through 23.
5 3. By renumbering as necessary.

By BALTIMORE of Boone

H-8145 FILED MARCH 8, 2012

HOUSE FILE 2428

H-8151

1 Amend House File 2428 as follows:

2 1. By striking everything after the enacting clause
3 and inserting:

4 <Section 1. Section 321.457, subsection 2, Code
5 2011, is amended by adding the following new paragraph:

6 NEW PARAGRAPH. n. (1) Notwithstanding paragraph
7 "g" or any other provision of this chapter, the
8 department is authorized to adopt rules providing for
9 economic export corridors for the transportation of
10 goods or products manufactured in Iowa to or through
11 the state of South Dakota and for the return of unladen
12 trailers or semitrailers used for the transportation of
13 those goods or products. The rules may authorize the
14 operation of the following combinations of vehicles on
15 an economic export corridor:

16 (a) A truck tractor-semitrailer-semitrailer
17 converted to trailer by use of a dolly equipped with a
18 fifth wheel which is considered a part of the trailer
19 for all purposes, and not a separate unit.

20 (b) A truck tractor-semitrailer-trailer.

21 (c) A truck tractor-semitrailer-semitrailer.

22 (2) Rules adopted pursuant to this paragraph "n"
23 shall provide that combinations of vehicles authorized
24 to operate on an economic export corridor shall meet
25 all of the following requirements:

26 (a) The rear unit of the combination of vehicles
27 shall meet the brake, hitch, and control requirements
28 of section 321.430, subsection 3.

29 (b) The length of the combination of vehicles,
30 excluding the length of the truck tractor, shall not
31 exceed eighty-one and one-half feet.

32 (c) The length of either trailer or semitrailer
33 shall not exceed forty-five feet. When the
34 semitrailers in a truck tractor-semitrailer-semitrailer
35 combination are connected by a rigid frame extension
36 including a fifth wheel connection point attached
37 to the rear frame of the first semitrailer, the
38 length of the frame extension shall not be included
39 when determining the overall length of the first
40 semitrailer.

41 (d) If the length of the tow bar exceeds nineteen
42 feet, the tow bar shall be flagged during daylight
43 hours and lighted at night.

44 (e) The weight of the second trailer or semitrailer
45 shall not exceed the weight of the first trailer or
46 semitrailer by more than three thousand pounds.

47 (f) The gross weight of the combination of vehicles
48 shall not exceed eighty thousand pounds and the
49 combination of vehicles shall not exceed the gross axle
50 weight limits of section 321.463, subsection 2.

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1 (g) The load on each unit in the combination shall
2 be an indivisible load. For the purpose of issuing
3 permits for height or width under chapter 321E,
4 the combination of vehicles shall be considered an
5 indivisible load so long as the load on each unit in
6 the combination remains an indivisible load.

7 (3) An economic export corridor established by
8 the department shall not include any segment of the
9 interstate system or any part of the national network
10 of highways identified pursuant to 23 C.F.R. pt.
11 658. This subparagraph does not prohibit operation on
12 any segment of the interstate system or part of the
13 national network of highways that is permitted under
14 paragraph "e".>

15 2. Title page, by striking lines 1 through 3 and
16 inserting <An Act relating to the movement of certain
17 combinations of vehicles on economic export corridors
18 established by the department of transportation.>

19 3. By renumbering as necessary.

By WORTHAN of Buena Vista

H-8151 FILED MARCH 8, 2012

HOUSE FILE 2432

H-8139

1 Amend House File 2432 as follows:

2 1. Page 1, line 17, after <association,> by
3 inserting <the Iowa school nurse organization,>

By L. MILLER of Scott

H-8139 FILED MARCH 8, 2012

HOUSE JOINT RESOLUTION 2010

H-8146

1 Amend House Joint Resolution 2010 as follows:

2 1. Page 3, line 1, after <relief> by inserting
3 <for personal income tax reduction, homeowner property
4 tax reduction, sales tax reduction, or access to
5 high-quality schools>

By WINCKLER of Scott

H-8146 FILED MARCH 8, 2012

HOUSE JOINT RESOLUTION 2010

H-8147

1 Amend House Joint Resolution 2010 as follows:

2 1. Page 3, line 1, after <relief> by inserting <for
3 personal income tax reduction, homeowner property tax
4 reduction, sales tax reduction, or elder services>

By OLDSON of Polk

H-8147 FILED MARCH 8, 2012

HOUSE JOINT RESOLUTION 2010

H-8148

1 Amend House Joint Resolution 2010 as follows:
2 1. Page 4, line 26, after <passage> by inserting
3 <unless the bill also repeals an existing tax or taxes
4 resulting in a revenue neutral net fiscal impact for
5 the bill>

By JACOBY of Johnson

H-8148 FILED MARCH 8, 2012

HOUSE JOINT RESOLUTION 2010

H-8149

1 Amend House Joint Resolution 2010 as follows:
2 1. Page 3, line 7, after <assembly.> by inserting
3 <However, the requirement of approval by at least a
4 three-fifths vote does not apply in the case of a bill
5 solely providing property tax relief.>

By JACOBY of Johnson

H-8149 FILED MARCH 8, 2012

HOUSE JOINT RESOLUTION 2010

H-8150

1 Amend House Joint Resolution 2010 as follows:
2 1. Page 4, by striking lines 14 through 17 and
3 inserting <sales and use taxes shall require the
4 affirmative votes of at>

By JACOBY of Johnson

H-8150 FILED MARCH 8, 2012



HF 2398 – Controlled Substances, Synthetic Cannabinoids and Cathinones (LSB 5298HV)
Analyst: Jennifer Acton (Phone: 515-281-7846) (jennifer.acton@legis.state.ia.us)
Fiscal Note Version – New

Description

House File 2398 classifies certain synthetic substances also known as “K2,” to the list of Schedule 1 controlled substances under Iowa Code section [124.204](#)(4)(ai) and numerous substances containing any quantity of any synthetic cathinone (not approved pharmaceuticals) to the list of Schedule 1 controlled substances under Iowa Code section [124.204](#)(6). The Bill is effective upon enactment.

Background

Correctional and Fiscal Information

1. A Schedule 1 controlled substance is considered to have a high potential for abuse and no medical purpose in treatment in the United States.
2. The cost for one entry-level criminalist in the Department of Public Safety, Division of Criminal Investigation (DCI) is \$71,000.
3. In September 2011, drug identification made up 2.5% of the total workload at the DCI Crime Lab. In January 2012, that number increased to 10.0% of the total workload at the DCI Crime Lab.
4. It is a serious misdemeanor offense for an unauthorized person to possess a Schedule 1 controlled substance under Iowa Code section [124.401](#)(5). The average State cost for a serious misdemeanor convictions ranges from \$205 (court costs) to \$4,900 (court costs including a jury, indigent defense, prison, and parole). The maximum costs will be incurred across multiple fiscal years while the offender is supervised in the correctional system, either in prison or the community.
5. It is an aggravated misdemeanor offense for an unauthorized person to manufacture, deliver, or possess with the intent to manufacture or deliver a synthetic cannabinoid under Iowa Code section [124.204](#)(4) or a synthetic cathinone under Iowa Code section [124.204](#)(6)(i). The average State cost for one aggravated misdemeanor ranges from \$2,100 (court costs and probation) to \$6,400 (court costs with a jury, prison, parole, and indigent defense). Costs will be incurred across multiple fiscal years while the offender is supervised in the correctional system, either in prison or the community.

Minority Data Information

1. In FY 2011, offender-based convictions for Iowa Code section [124.401](#)(1)(d) for an aggravated misdemeanor resulted in a total of 42 convictions. Of this total, 36 offenders were Caucasian, two were African American, one was Asian, and three were of unknown race.

2. In FY 2011, offender-based convictions for Iowa Code section [124.401](#)(5) for a serious misdemeanor resulted in a total of 4,731 convictions. Of this total 3,402 offenders were Caucasian, 778 were African American, 146 were Hispanic, 33 were Indian, 25 were Asian, 48 were Other, and 347 were of other or unknown race.

Assumptions

Correctional and Fiscal Information

1. The substances being added to the list of Schedule 1 controlled substances are currently legal. It is assumed that once these substances become illegal, the vast majority of businesses will cease selling them.
2. Law enforcement agencies will continue to send substances to the DCI Crime Lab to verify whether the substance is a legal or illegal substance. This verification will be handled in the Drug Identification Division and the Toxicology Division of the DCI Crime Lab.

Minority Data Information

The minority distribution remains constant for both the serious and aggravated misdemeanor offenses under the Bill.

Summary of Impacts

Correctional Impact

[House File 2398](#) will have some correctional impact, but the impact is likely to be minimal.

Minority Impact

The minority impact is anticipated to be minimal.

Fiscal Impact

The fiscal impact to the Department of Public Safety is \$142,000 to hire 2.0 criminalists in the DCI Crime Lab with one for the Drug Identification Division and one for the Toxicology Division.

Sources

Department of Human Services, Criminal and Juvenile Justice Planning Division
Department of Public Safety

/s/ Holly M. Lyons

March 7, 2012

The fiscal note for this bill was prepared pursuant to **Joint Rule 17** and the correctional and minority impact statements were prepared pursuant to **Iowa Code section 2.56**. Data used in developing this fiscal note, including correctional and minority impact information, is available from the Fiscal Services Division of the Legislative Services Agency upon request.

Fiscal Note

Fiscal Services Division



HF 2410 – All Terrain Vehicle (ATV), Snowmobile, and Boat Programs (LSB 5210HV)
Analyst: Adam Broich (Phone: 515-281-8223) (adam.broich@legis.state.ia.us)
Fiscal Note Version – New

Description

House File 2410 updates Iowa Code language and definitions pertaining to snowmobiles, ATVs, and watercraft. Some of the changes include:

- Requiring residents to purchase a \$15 resident user permit to operate snowmobiles on public land.
- Eliminating dealer special registration exemptions for off-road utility vehicles.
- Changing snowmobile and ATV dealer special registration fees from an annual \$15 fee to a three-year fee of \$45.
- Prohibiting waterskiing except on rivers and streams during the period between November 1 and April 1. Waterskiing violations will be fined \$100.
- **House File 2410** replaces the term safety certificate with education certificate.

Background

Moneys collected from snowmobile user permits are deposited in the Snowmobile Registration Fee Fund. This Fund is dedicated to snowmobile programs, safety education, and trail maintenance. Language updates and other changes were requested by the Department of Natural Resources (DNR).

Assumptions

The DNR currently registers approximately 29,000 snowmobiles each year. It estimated the user permit will apply to 80% of registered snowmobiles. This would result in the purchase of 23,200 user permits at \$15 each. The estimated revenue increase is \$348,000. The DNR anticipates spending additional revenue on trail development, maintenance, and operation. The fiscal impact of prohibiting waterskiing fines cannot be determined.

Correctional Impact

The correctional impact is expected to be minimal.

Fiscal Impact

There is no fiscal impact to the General Fund. The estimated increase in revenue to the Snowmobile Registration Fee Fund is \$348,000 in FY 2013 and each year after.

Sources

Department of Natural Resources
Department of Human Rights

/s/ Holly M. Lyons

March 7, 2012

The fiscal note for this bill was prepared pursuant to **Joint Rule 17** and the correctional and minority impact statements were prepared pursuant to **Iowa Code section 2.56**. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.
